

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ziegler, et al.  
SERIAL No.: Unassigned EXAMINER: Unassigned  
FILED: Herewith GROUP No.: Unassigned  
TITLE: OPTICAL MEASURING OR TESTING DEVICE WITH  
CONNECTION ELEMENT

Attorney Docket No.: US 20 01 0284

Commissioner for Patents  
Washington, D.C. 20231

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D.C. 20231, on

February 7, 2002  
(Date of Deposit)

Allison Berkman  
Name

Allison Berkman  
Signature

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the application as follows:

In The Abstract

Please amend the abstract as follows:

Abstract of the Disclosure

A device for measuring and testing components of optical networks includes an optical connector over which an optical cable may be optically connected to the device's measuring and/or testing equipment; wherein a first connector element is provided, onto which a complimentary second connector element, attached to the optical cable or to this connectable adapter, may be connected to form an optical

coupling; wherein the first connector element is attached to one end of the tubular connection elements, which is connected at its other end to the connector and is reversibly and three-dimensionally flexible.

In The Claims

Please amend the claims as follows:

4. (Amended)        A device according to claim 1, wherein the connection element is firmly connected with the port.

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**Remarks**

The Abstract of the Disclosure has been amended to eliminate reference numbers and to comply with MPEP 608.01(b).

Claim 4 has been amended to eliminate its multiple dependency. As such, claim 4 has been clarified by amendment above for purposes of form. It is respectfully submitted that the amendment to claim 4 is neither narrowing nor made for substantial reasons related to patentability as defined by the Court of Appeals for the Federal Circuit (CAFC) in Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd., 95-1066 (Fed. Cir. 2000). Therefore, the amendment to claim 4 does not create prosecution history estoppel and, as such, the doctrine of equivalents is available for all of the elements of claim 4.

Consideration and allowance of the application is respectfully requested.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings to Show Changes Made."

Respectfully submitted,

2-6-02  
Date

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Abstract

Please amend the abstract as follows:

[Summary] Abstract of the Disclosure

[The invention concerns a] Δ device [(1)] for measuring and testing components of optical networks[. This is with] includes an optical connector [(5)], over which an optical cable [(8)] may be optically connected to the device's [(1)] measuring and/or testing equipment; wherein a first connector element [(15)] is provided, onto which a complimentary second connector element [(10)], attached to the optical cable [(8)] or to this connectable adapter [(17)], may be connected to form an optical coupling; wherein the first connector element [(15)] is attached to one end of the tubular connection elements [(12)], which is connected at its other end to the connector [(5)] and is reversibly and three-dimensionally flexible.

In The Claims

Please amend the claims as follows:

4. (Amended)        A device according to [one of the claims 1 to 3] claim 1, wherein the connection element is firmly connected with the port.

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